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January 27, 2023

**VIA CM/ECF**

Hon. Mark W. Pedersen  
Kenneth B. Keating Federal Building  
100 State Street  
Rochester, New York 14614

RE: *Michael Donoghue and Premium Mortgage Corp. v. Cynthia Nostro et al.*  
Case No.: 6:20-CV-06100-EAW-MWP

Dear Magistrate Judge Pedersen:

I write on behalf of defendant Supreme Lending to request a conference for the purpose of addressing several discovery issues, per Ms. Gleason's e-mail of January 3, 2023, and to propose an agenda for the conference. Ideally, and subject to Court availability, we would like the conference to take place between February 1-15, 2023.

The parties have exchanged correspondence with respect to these issues and met and conferred on January 13, 2023. The conference resulted in a resolution of certain issues, but we believe that others would benefit from Court input and direction. I shared the agenda below with all counsel yesterday afternoon, and Mr. Calabrese had no further items to add. I have not yet heard back from Ms. Stiller, but would welcome the inclusion of any items from our January 13 conference that have been overlooked.

The proposed agenda consists of the following subjects, which I attempted to arrange in date order:

1. Plaintiffs' response to Supreme's September 29, 2022 discovery requests (which has not yet been received);
2. Review by the parties of existing confidentiality designations and Supreme's October 13, 2022 proposal for review and filing of confidential materials;
3. Supreme's January 23, 2023 additional document production and matters raised in Plaintiffs' December 29, 2022 letter to the Court not satisfactorily addressed by Supreme's January 20, 2023 letter;
4. New scheduling order;
5. Any matters in the pending motions to compel that can be resolved informally; and

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6. Matters relating to the Ruotsi subpoena, for which documents have been collected but not yet produced.

Subject to the Court's direction, I respectfully suggest that the parties be permitted to submit short position statements to the Court in advance of the conference on each of these subjects.

Thank you for your consideration of this request.

Respectfully submitted,

*Steven E. Cole*

Steven E. Cole

cc: (via CM/ECF)

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